

1 Honorable Robert S. Lasnik
2
3
4
5
6
7

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 CITY OF SEATTLE, a municipal corporation,
located in the County of King, State of
9 Washington,

10 Plaintiff,

11 vs.

12 MONSANTO COMPANY, SOLUTIA INC.,
and PHARMACIA CORPORATION, and
13 DOES 1 through 100,

14 Defendants.

No. 2:16-CV-00107

MOTION FOR A SIXTY-DAY
STAY OF CURRENT DEADLINES

NOTED ON MOTION CALENDAR:
February 28, 2020

File Date: January 25, 2016

Trial Date: September 14, 2020

15
16 Plaintiff the City of Seattle moves for a sixty-day stay of existing case deadlines to allow
17 Seattle to retain new counsel. Defendants are considering whether they will agree to a stay.

18 Seattle's outside counsel terminated their representation of Seattle as of February 10, 2020.
19 Wishik Declaration, ¶ 2. Since then, Seattle has been trying to resolve issues regarding the transition
20 to new counsel, without success. *Id.* Seattle has tried to retain new counsel but cannot do so until
21 those issues are resolved. *Id.*, ¶ 3.

1 On February 11, former counsel asked Seattle to sign a Notice of Withdrawal under Local
2 Rule 83.2(3). Wishik Decl. ¶ 4. Seattle declined to sign because that Notice indicates that the
3 withdrawal “will not leave the client without representation,” when, in reality, the withdrawal does
4 just that. *Id.* Seattle anticipates that its former counsel will file a motion to withdraw very soon.

5 On February 19, Seattle conferred with Defendants’ attorneys regarding the need for a stay
6 and learned that counsel for Defendants had not been informed by Seattle’s former counsel of the
7 termination of representation. *Id.*, ¶ 5. Counsel for Defendants were, therefore, not ready to stipulate
8 to a stay at the time this motion needed to be filed.

9 Seattle cannot litigate this complex case without outside counsel. Key deadlines, including
10 the exchange of expert reports, are imminent. Once new counsel is retained, they will need time to
11 get up to speed. Seattle respectfully requests a sixty-day stay of current deadlines.

12 Dated this 20th day of February, 2020.

13 PETER S. HOLMES
14 Seattle City Attorney
15 By: s/Laura B. Wishik
16 Peter S. Holmes, WSBA # 15787
17 Laura B. Wishik, WSBA #16682

18 **SEATTLE CITY ATTORNEY’S OFFICE**
19 701 Fifth Avenue, Suite 2050
20 Seattle, Washington 98104-7097
21 Telephone: (206) 684-8200
22 Email: Laura.Wishik@seattle.gov

23 Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2020, I caused this MOTION FOR A SIXTY-DAY STAY and a PROPOSED ORDER and the DECLARATION OF LAURA WISHIK to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: February 20, 2020

By: s/ Laura B. Wishik
Laura B. Wishik